

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHERMAN L. DAVIS,

No. C 08-01978 CW (PR)

Petitioner,

ORDER DIRECTING PAYMENT OF
FILING FEE OR FILING OF IN
FORMA PAUPERIS APPLICATION

v.

DERRAL G. ADAMS, Warden,

Respondent.

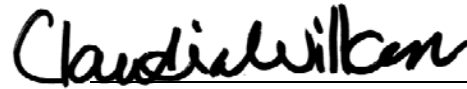
Petitioner has filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. However, Petitioner has not paid the requisite \$5.00 filing fee or filed an application for leave to proceed in forma pauperis (IFP). The Court cannot conduct an initial review of this matter until Petitioner has either paid the filing fee or completed an IFP application. See 28 U.S.C. § 1915(a) (a party is permitted to file a civil action in federal court without prepayment of fees or security if he makes affidavit that he is unable to pay such fees or give security therefor).

Accordingly, Petitioner shall pay the requisite \$5.00 filing fee in this action no later than thirty (30) days from the date of this Order. He shall include with his payment a clear indication that it is for the above-referenced case number, C 08-01978 CW (PR). In the event that Petitioner is unable to pay the filing fee, he shall submit an IFP application, trust account statement and certificate of funds no later than thirty (30) days from the date of this Order. Failure to pay the filing fee or file the requisite documents within the thirty-day deadline shall result in dismissal of this action.

1 The Clerk of the Court shall send Petitioner a blank prisoner
2 IFP application form along with his copy of this Order.

3 IT IS SO ORDERED.

4 Dated: 5/16/08



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SHERMAN L DAVIS,

Plaintiff,

v.

DERRAL G ADAMS et al,

Defendant.

Case Number: CV08-01978 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 16, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Sherman Level Davis
Corcoran State Prison
Prisoner Id D-40369
4B2L-1
P.O. Box 8800
Corcoran, CA 93212

Dated: May 16, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk

United States District Court
For the Northern District of California